

AGENDA
CITY OF THE COLONY, TEXAS
BOARD OF ADJUSTMENT
Wednesday, June 17, 2015

After determining that a quorum is present, the Board of Adjustment of the City of The Colony, Texas will convene into Regular Session which will be held on Wednesday, June 17, 2015, at 6:35 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items will be addressed:

1.0	CALL REGULAR SESSION TO ORDER
2.0	ITEM FOR CONSIDERATION
2.1	Consider approval of the minutes of the regular session of the May 20, 2015 Board of Adjustment meeting.
3.0	PUBLIC HEARING ITEM
3.1	<i>BOA15-0012 – Stone Residence Exterior Material Variance</i> Conduct a public hearing, discuss, and consider approval of a Variance to Section 17-106 to allow an alternate exterior finish, cement siding, in lieu of the required brick, stone or EIFS on a proposed single family residential buildings to be located on 3800 Cedar Ridge Court described at Lot 5, Block O, Ridgpointe Phase 3.
3.2	<i>BOA15-0002 – Overlake Addition Landscape Buffer Variance</i> Conduct a public hearing, discuss, and consider approval of a Variance to Section 17A-300 Minimum Landscaping requirement, subsection 17A-300(C) Buffering to allow less than 20' required buffer area along street frontage for a proposed commercial development located at the northeast corner of Overlake Drive and Main Street.

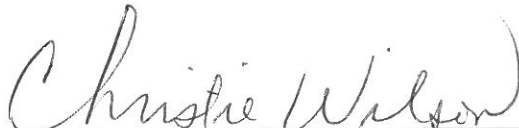
“Pursuant to the Texas Open Meetings Act, Government Code Chapter 551, one or more of the above items may be considered in executive session closed to the public. Any decision held on such matter will be taken or conducted in open session following the conclusion of the executive session.”

Persons with disabilities who plan to attend this meeting who may need auxiliary aids such as interpreters for persons who are deaf or hearing impaired, readers or, large print are requested to contact Christie Wilson, City Secretary, at 972-624-3106 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

CERTIFICATION

I hereby certify that above notice of meeting was posted outside the front door of City Hall by 5:00 PM on the 12th day of June 2015.




Christie Wilson, City Secretary

**MINUTES
CITY OF THE COLONY
BOARD OF ADJUSTMENT
Wednesday, May 20, 2015**

After determining that a quorum was present, the Board of Adjustment of the City of The Colony, Texas convened into Regular Session which was held on Wednesday, May 20, 2015 at 6:00 p.m. in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items were addressed:

Board Members Present: Gerald Odum; Constance Yahwak, Shawn Rockenbaugh and Joel Ortega.

Board Members Absent: Charles Tredo

Present from Staff: Mike Joyce, AICP, Planning Director; Surupa Sen, AICP, Senior Planner, Gordon Scruggs, P.E. Engineering/Development Services Director, Jeff Moore, City Attorney.

1.0	CALL REGULAR SESSION TO ORDER
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Vice-Chairman Odum called the meeting to order at 6:33 p.m.

2.0	ITEM FOR CONSIDERATION
2.1	Consider approval of the minutes of the regular session of the November 19, 2014 Board of Adjustment meeting.

Board Member Yahwak moved to approve the minutes as written, seconded by Board Member Rockenbaugh. The motion carried (4-0).

Being no further discussion, Vice-Chairman Odum adjourned the meeting at 6:38 p.m.

Gerald Odum, Vice-Chairman

Surupa Sen, AICP, Senior Planner

BOARD OF ADJUSTMENT STAFF REPORT

AGENDA DATE: June 17, 2015

DEPARTMENT: Engineering/Development Services Department

PLANNER: Surupa Sen, AICP, Senior Planner, 972-624-3164

SUBJECT: *BOA15-0012 – Stone Residence Exterior Material Variance*

Conduct a public hearing, discuss, and consider approval of a Variance to Section 17-106 to allow an alternate exterior finish, cement siding, in lieu of the required brick, stone or EIFS on a proposed single family residential buildings to be located on 3800 Cedar Ridge Court described at Lot 5, Block O, Ridgpointe Phase 3.

APPLICANT/OWNER:

David and Pam Stone

Aubrey, Texas

BACKGROUND:

A two story 2,956 sf residence is proposed on Lot 5, Block O, Ridgpointe Phase 3 located at 3800 Cedar Ridge Court. The lot is heavily wooded and overlooks the creek at the back. The building style is craftsman style home that is a pre-dominant architectural style is American history. A low-pitched, gabled roof is one of the characters of this style. The low-slung rooflines reflect the influence of Oriental architecture on the style. These roofs typically have a wide, unenclosed eave overhang with decorative supports. Large covered front porches are also part of this style of architecture. The building elevation and style calls for a material that can provide the craftsman style wooden look.

Zoning Ordinance Section 17-106.1 states that all “exterior walls of the main residential structure shall be a minimum of seventy (70) percent brick, natural stone, or EIFS,exclusive of doors and windows.” Cement siding or hardy plank is considered to be a more durable product than EIFS and is an appropriate exterior material for a craftsman style home.

The applicant proposes to use ninety (90) percent cement siding wall with the remainder ten (10) percent being brick/stone.

FINDINGS:

According to Section 21-103 of the Code of Ordinances, The Board of Adjustment may grant a Variance if the following exist:

1. **The variance is necessary to permit development of a specific parcel of land which differs from other parcels of land because of special circumstances concerning the size, shape, area, topography, conditions and location of the parcel that is the subject of the variance request;**
This lot is heavily wooded and has natural feature like the view of the creek behind it. These lot features and the house style are complementary to each other.
2. **The granting of the variance will not adversely affect the land use pattern as outlined by the land use plan and will not adversely affect any other feature of the Comprehensive Zoning Plan of the City;**

It is Staff's opinion that the granting of this variance will not adversely affect the land use pattern in the vicinity or adversely affect any other feature of the Comprehensive Zoning Plan of the City.

3. The granting of the variance will not be materially detrimental to the public welfare or to the use, enjoyment or values of the surrounding properties.

It is Staff's opinion that the granting of the variance will not be materially detrimental to the public welfare or to the use, enjoyment or values of the surrounding properties.

NOTIFICATION

Board of Adjustment public hearings require newspaper notification a minimum of ten (10) days prior to the meeting date. A legal notice was published in the *NeighborsGo* on June 5, 2015. No comments either for or against this request were received as of the printing of this packet.

OPTIONS

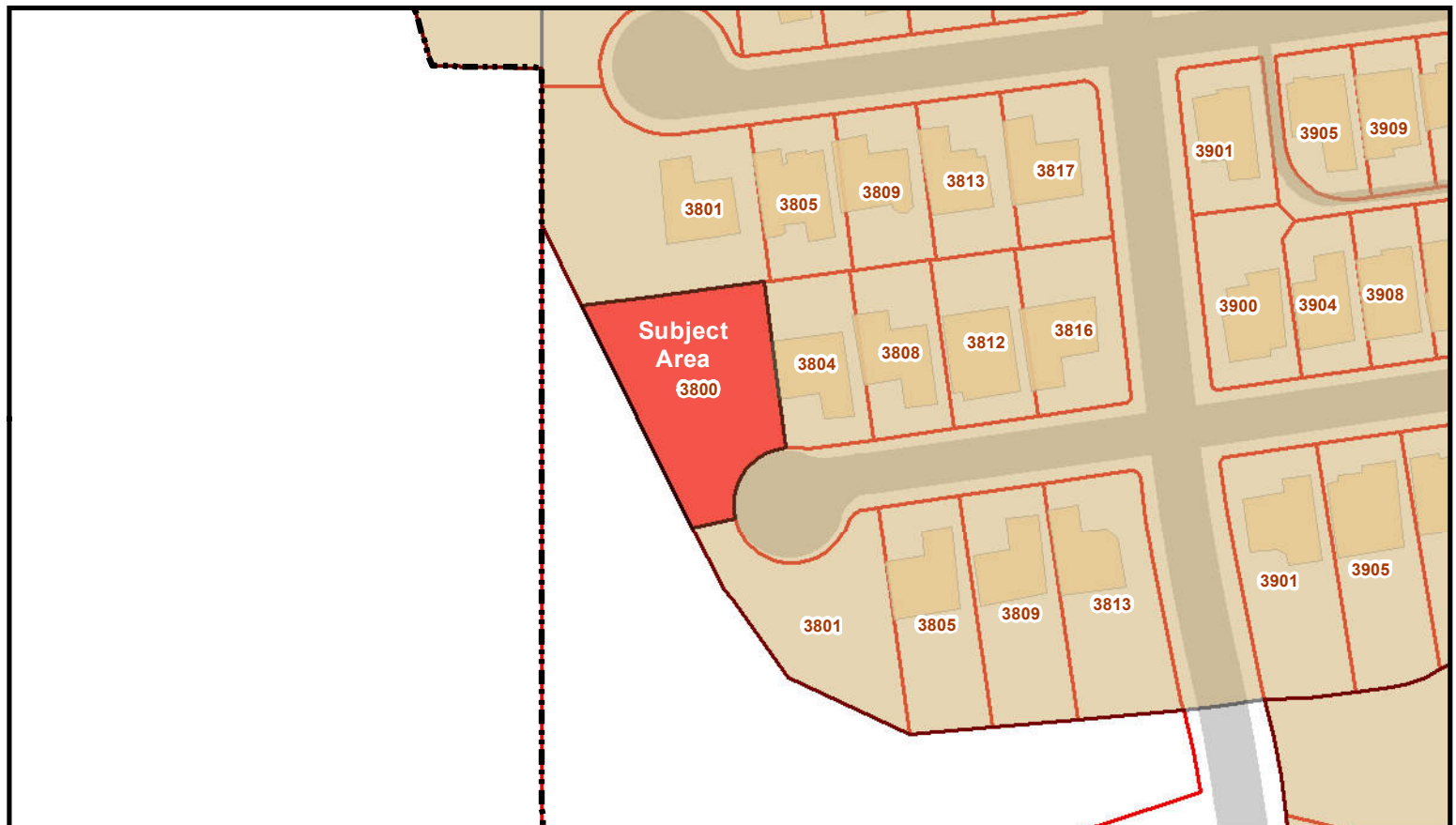
1. Approve as requested
2. Deny
3. Postpone consideration
4. Table item

RECOMMENDATION

Staff recommends approval of the requested Variance.

ATTACHMENTS

1. Location Map
2. Building Packet

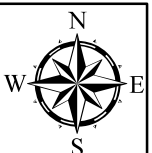


Project No. BOA15-0001 - Project Name: 3800 Cedar Ridge Ct, Lot 5, Block O



BOA15-0001	Business Park/Industrial	Heavy Commercial	Mobile Home	Planned Development	Building Footprints
Agricultural	Duplex Dwelling	Industrial	Neighborhood Service	Shopping Center	
Business Park	General Retail	Light Commercial	Office District 1	Single Family Dwelling	

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.



3800

CEDAR RIDGE COURT.
THE COLONY, TEXAS



*REPRESENTATION OF THE STYLE OF HOME TO BE BUILT



THE STONE FAMILY

The Stone Family Home

3800 Cedar Ridge Court

The Colony, TX

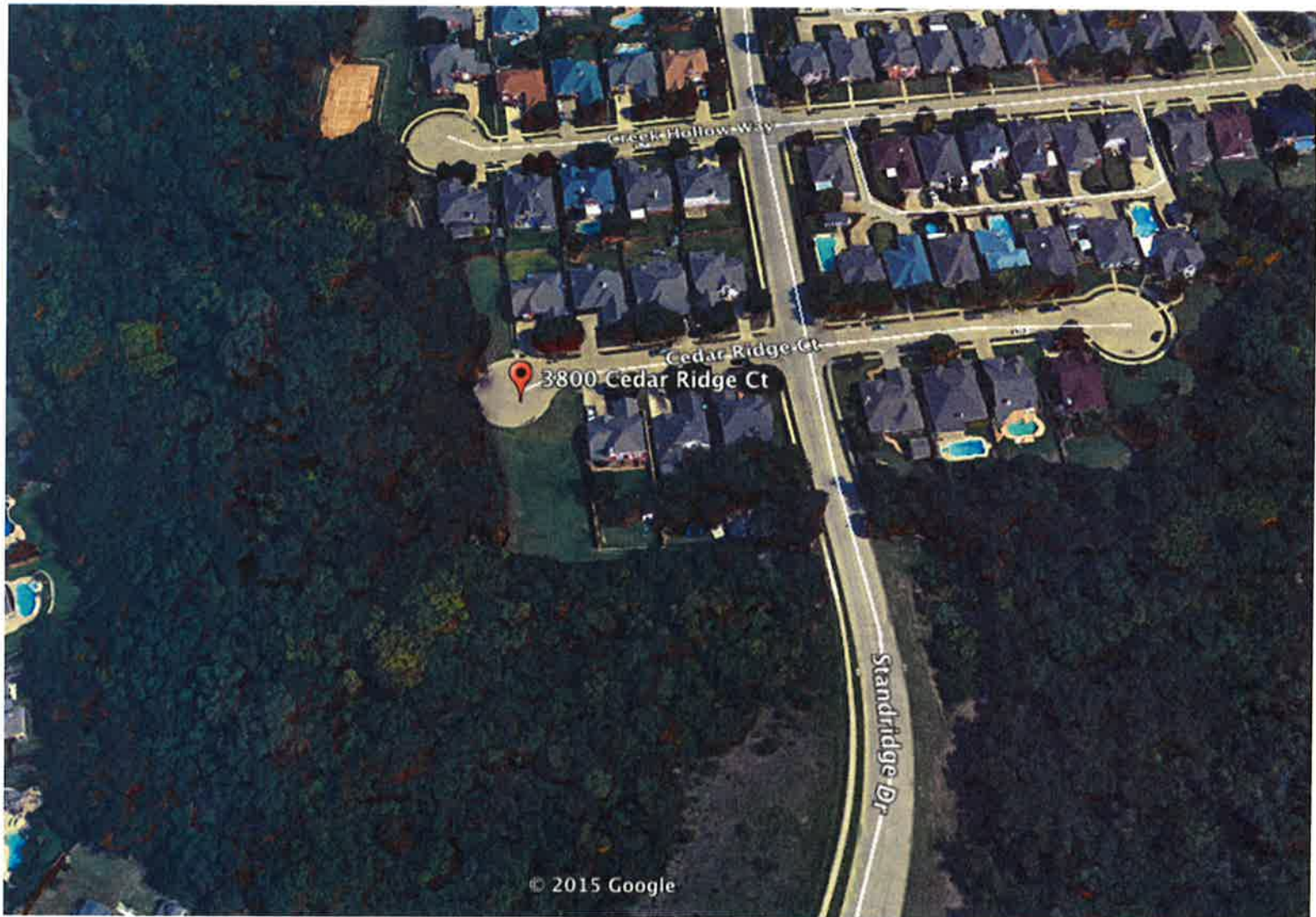
It is our family's desire to build and occupy a lovely, Mountain Cottage Craftsman style home fitting with the wooded, creek lot that we own on Cedar Ridge Court in The Colony, TX.

Proposal: Requesting a variance for 3800 Cedar Ridge Court that would allow the exterior of the home to be constructed with a mixture of stone / stone veneer and a cementitious fiber board.

Table of Contents:

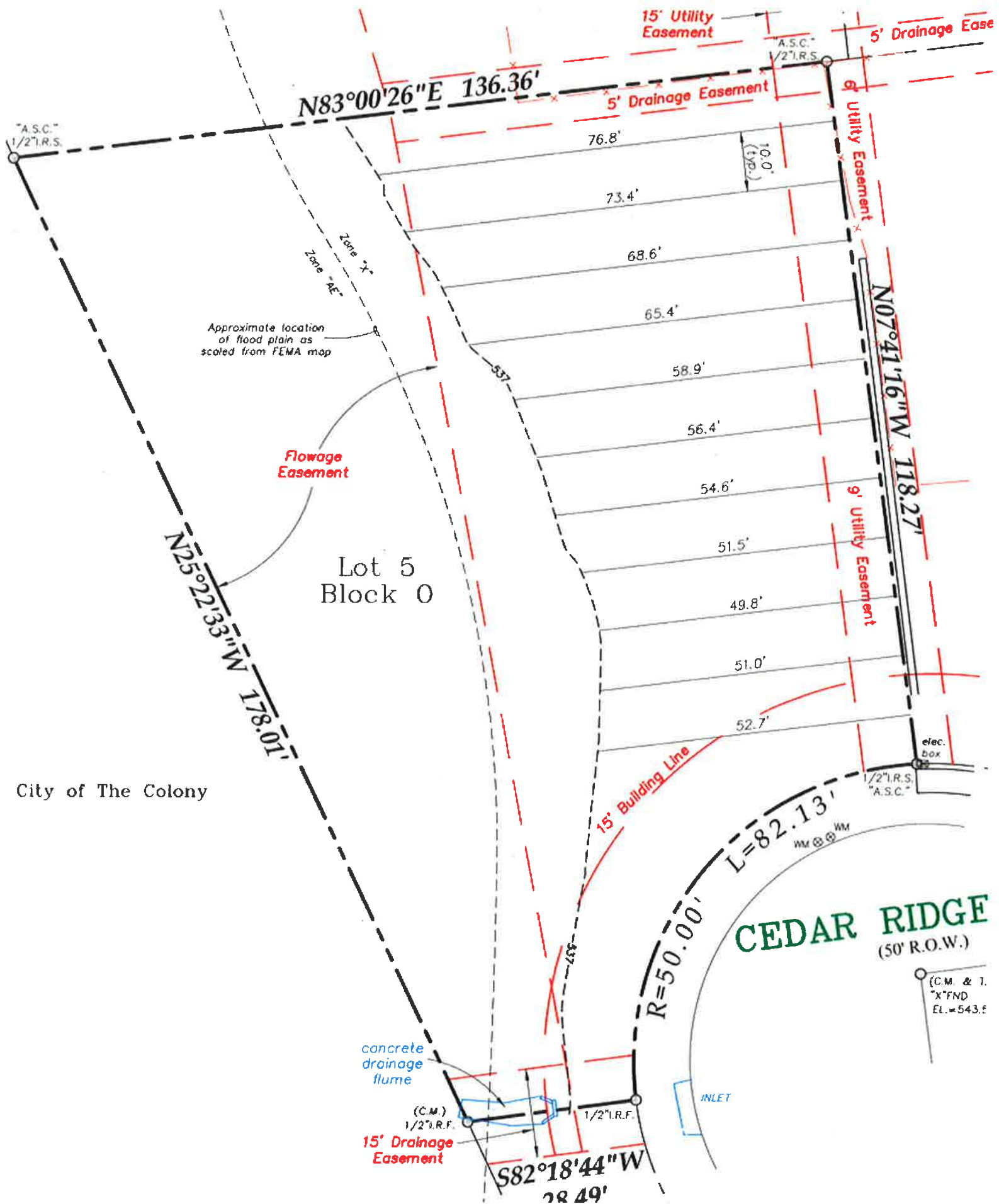
Page 1:	Street View of the Cul-de-sac & Wooded lot
Page 2:	Ariel view of the wooded area surrounding the lot
Page 3- 4:	Elevation and buildable area Survey s
Page 5:	Wooded area of the lot
Page 6:	Views of the creek from the lot
Page 7:	Mountain Cottage Craftsman Style Homes
Page 8 - 9	Exterior Elevations & Materials Square Footage
Page 10 -11	Floor plan

AERIAL VIEW OF LOT AND SURROUNDING WOODED AREA

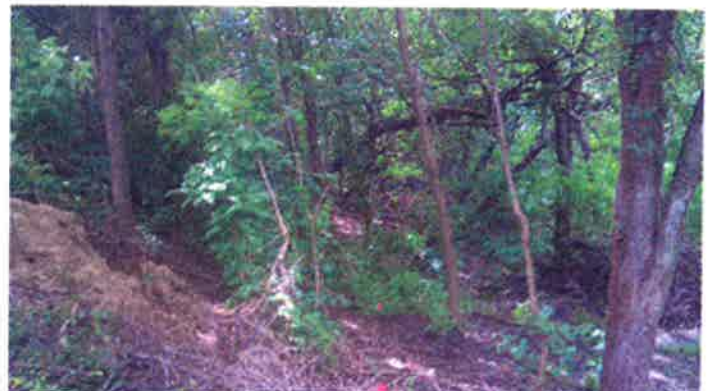


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LOT SURVEY SHOWING BUILDABLE AREA



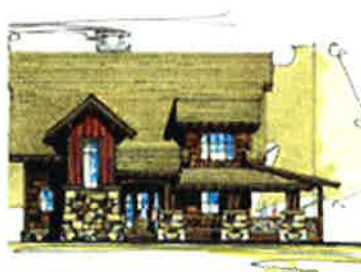
HEAVILY WOODED LOT



VIEWS OF THE CREEK FROM THE LOT



MOUNTAIN COTTAGE CRAFTSMAN

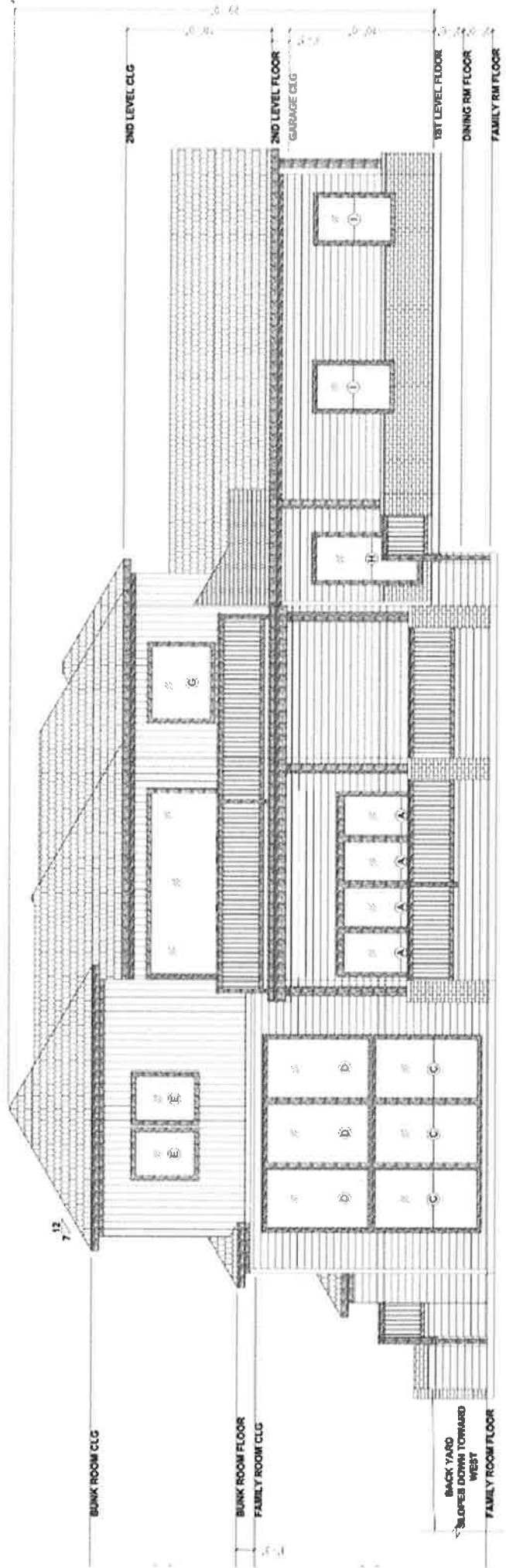




SOUTH FRONT ELEVATION

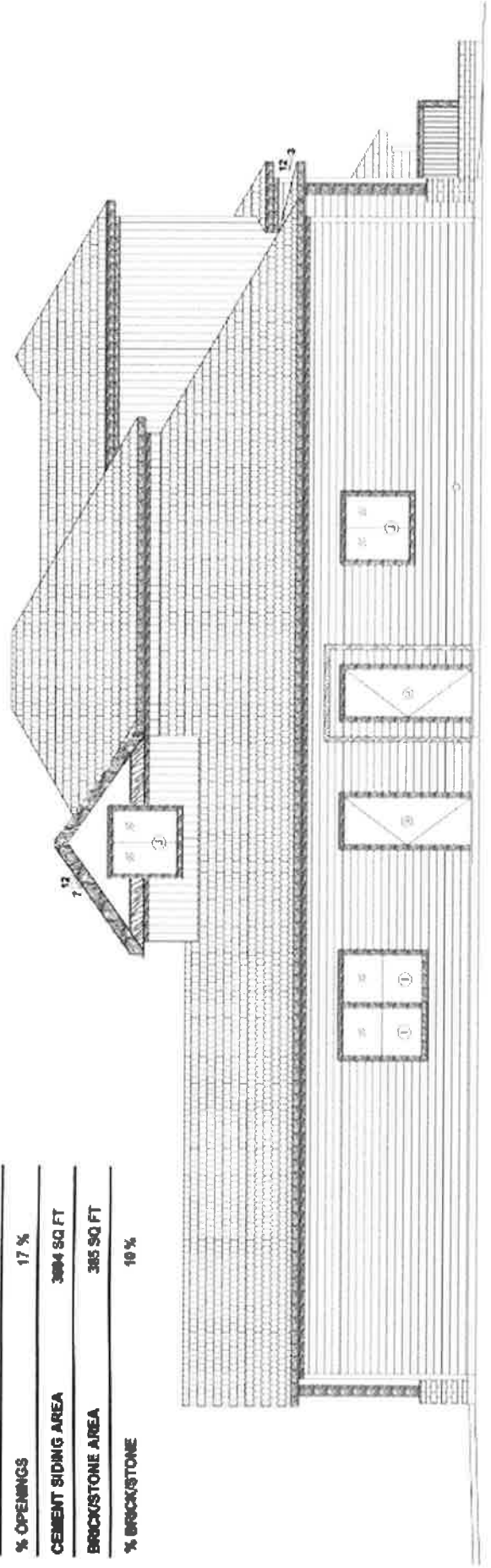


NORTH BACK ELEVATION

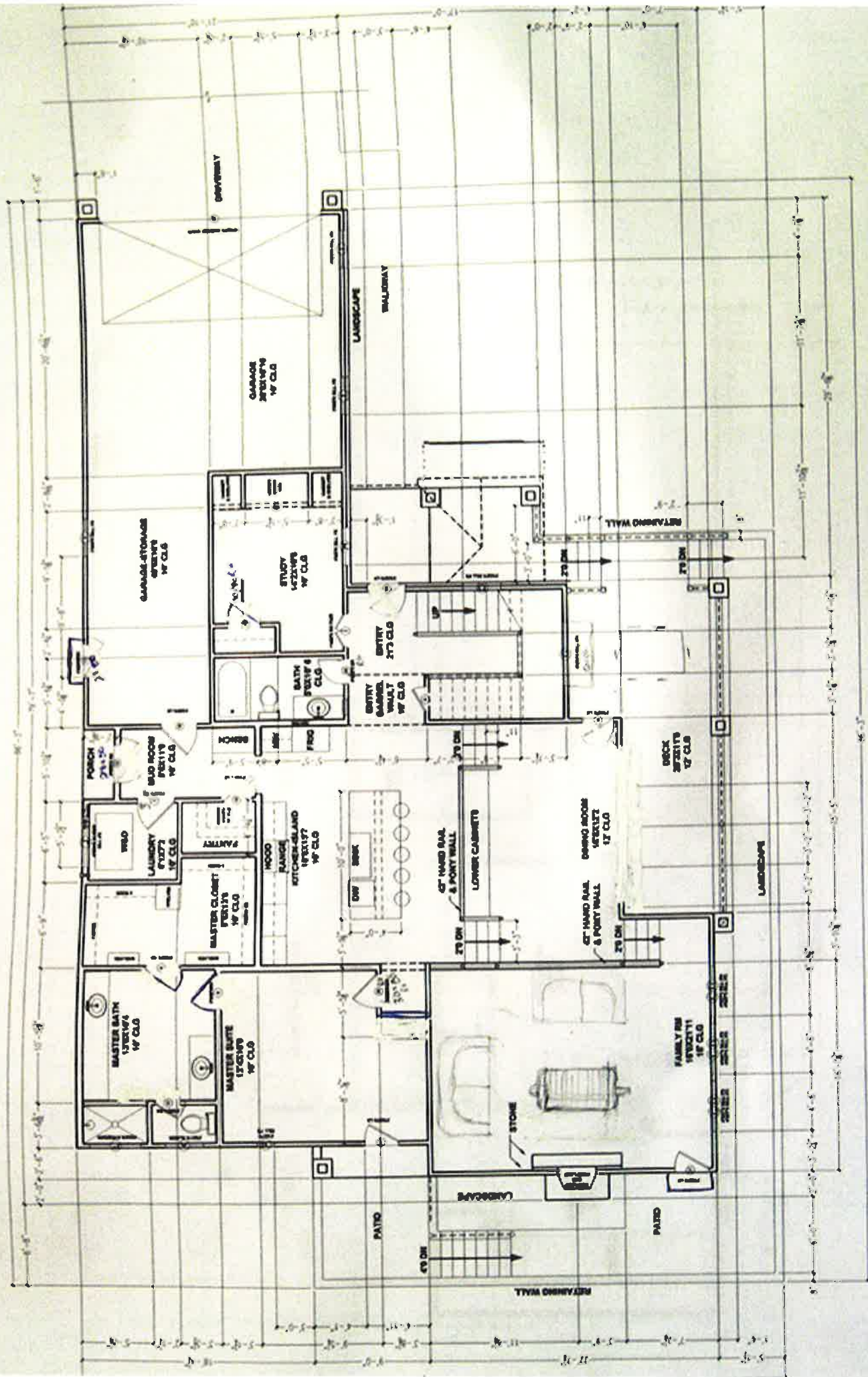


WEST SIDE ELEVATION

WALL AREAS	3822 SQ FT
WINDOWS	508 SQ FT
DOORS	150 SQ FT
TOTAL OPENINGS	658 SQ FT
% OPENINGS	17 %
CEMENT SIDING AREA	3084 SQ FT
BRICK/STONE AREA	385 SQ FT
% BRICK/STONE	10 %



EAST SIDE ELEVATION



1ST LEVEL FLOOR PLAN

BOARD OF ADJUSTMENT STAFF REPORT

AGENDA DATE: June 17, 2015

DEPARTMENT: Engineering/Development Services Department

PLANNER: Surupa Sen, AICP, Senior Planner, 972-624-3164

SUBJECT: *BOA15-0002 – Overlake Addition Landscape Buffer Variance*

Conduct a public hearing, discuss, and consider approval of a Variance to Section 17A-300 Minimum Landscaping requirement, subsection 17A-300(C) Buffering to allow less than 20' required buffer area along street frontage for a proposed commercial development located at the northeast corner of Overlake Drive and Main Street.

APPLICANT/OWNER:

Kasra Kiani

HKS Global

Plano, Texas

BACKGROUND:

A 17,000 sf retail building is proposed on Lot 1, Block A, Overlake Drive Addition located at the Northeast corner of Overlake and Main Street. Applicant is requesting a variance from Landscape section of Zoning Ordinance Section 17A-300(C) that requires 20' landscape buffer along street frontage. Applicant would be able to provide 6' landscape buffer on Main Street between west property line and the back of the curb of the parking space.

The proposed plans for improvements of the Main Street prepared by TxDOT shows a landscape area of 65 feet wide between the proposed Main Street edge of pavement and west property line of Overlake Addition. Applicant is currently processing a Development Agreement with the City to maintain the 65 feet wide landscape area created by the Main Street expansion project. As a result there will be approximately 71 feet wide landscape buffer.

FINDINGS:

According to Section 21-103 of the Code of Ordinances, The Board of Adjustment may grant a Variance if the following exist:

- 1. The variance is necessary to permit development of a specific parcel of land which differs from other parcels of land because of special circumstances concerning the size, shape, area, topography, conditions and location of the parcel that is the subject of the variance request;**

This parcel is affected by the TxDOT main street expansion project. There will be a 65 feet wide landscape area between the property line of Overlake Addition and the Main Street future edge of pavement. The Zoning Ordinance Section 17A-300(C) also states that the landscape "buffer can extend into street parkway." This more than mitigates the 20' landscape buffer requirement on the property. The property owner will be maintaining the total 71 feet wide landscape area as well which is a beneficial to the City.

- 2. The granting of the variance will not adversely affect the land use pattern as outlined by the land use plan and will not adversely affect any other feature of the Comprehensive Zoning Plan of the City;**

It is Staff's opinion that the granting of this variance will not adversely affect the land use pattern in the vicinity or adversely affect any other feature of the Comprehensive Zoning Plan of the City.

3. The granting of the variance will not be materially detrimental to the public welfare or to the use, enjoyment or values of the surrounding properties.

It is Staff's opinion that the granting of the variance will not be materially detrimental to the public welfare or to the use, enjoyment or values of the surrounding properties.

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OPTIONS

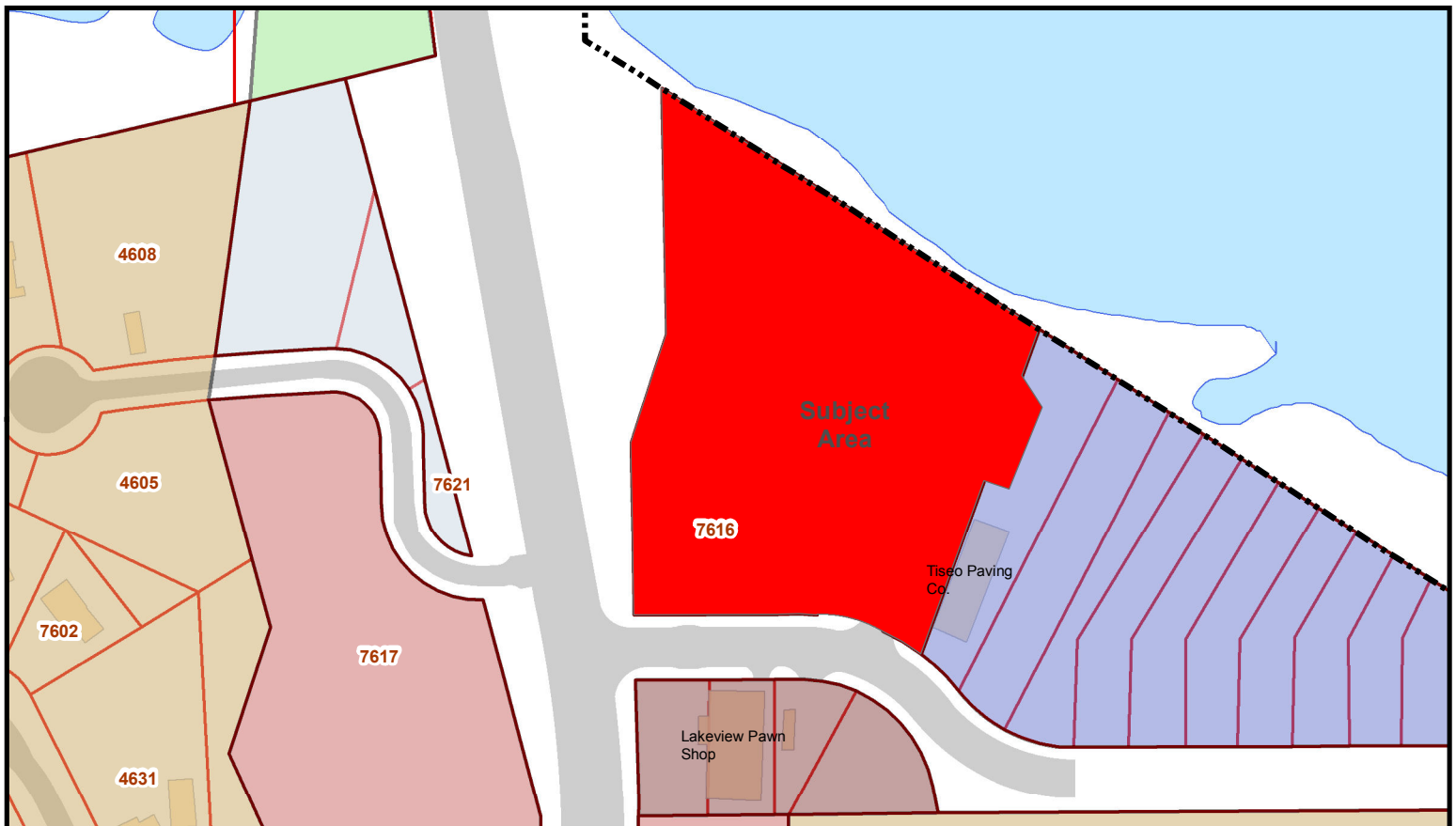
1. Approve as requested
2. Deny
3. Postpone consideration
4. Table item

RECOMMENDATION

Staff recommends approval of the requested Variance.

ATTACHMENTS

1. Location Map
2. Proposed Site Exhibit

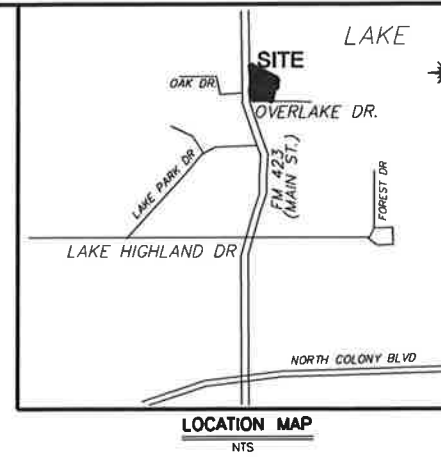


Project No. BOA15-0002 - Project Name: Overlake Addition Variance

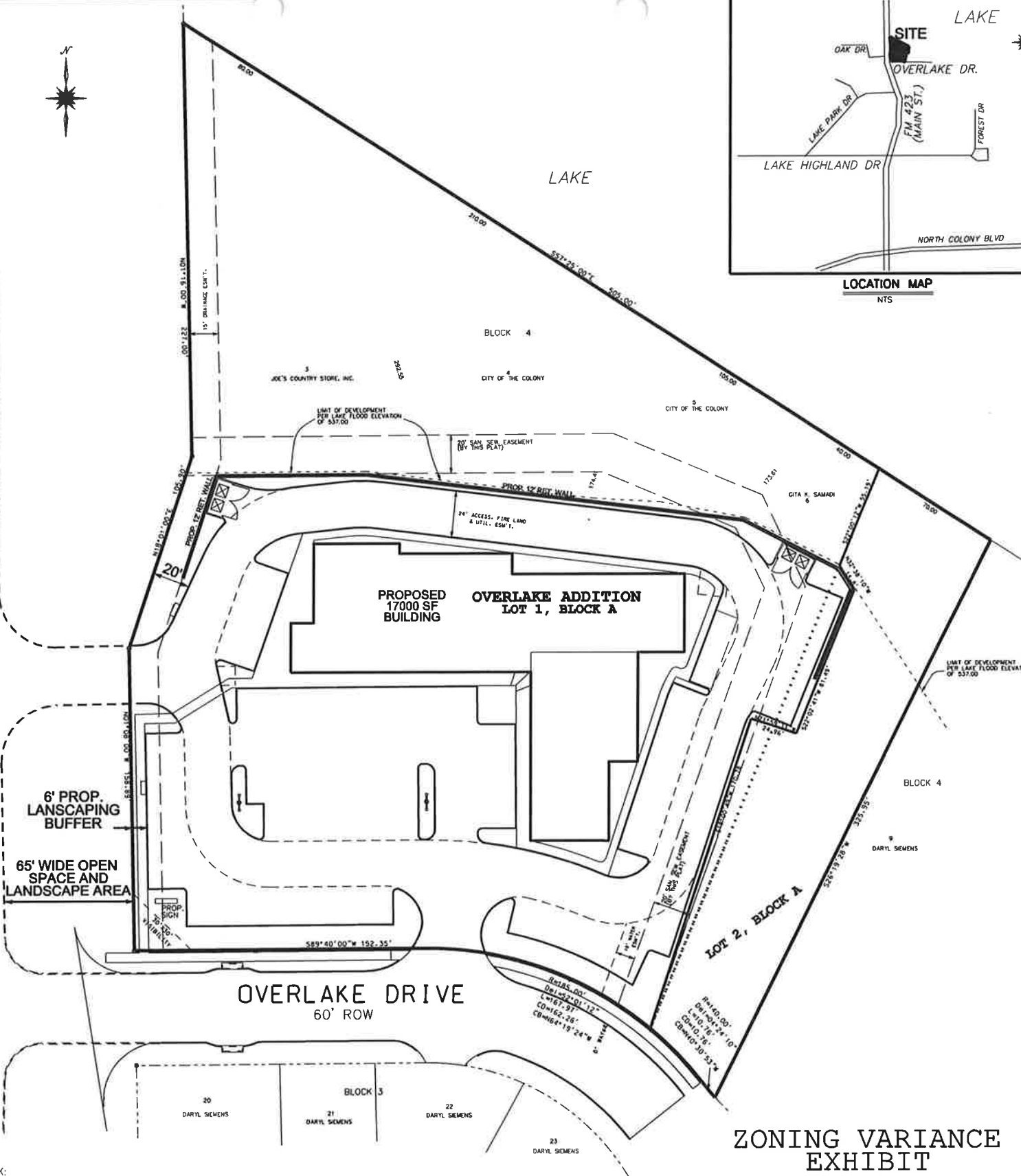
■ Overlake Addition	■ Business Park	■ General Retail	■ Light Commercial	■ Office District 1	■ Single Family Dwelling
■ The Hudson	■ Business Park/Industrial	■ Heavy Commercial	■ Mobile Home	■ Planned Development	■ BuildingFootprints
■ Agricultural	■ Duplex Dwelling	■ Industrial	■ Neighborhood Service	■ Shopping Center	

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.





MAIN ST. (FM 423)
VAR. ROW



BENCHMARK:
ALUMINUM DISC SET IN CONCRETE, STAMPED "THE COLONY GPS CONTROL", SET
ON THE WEST SIDE OF THE COLONY PUBLIC WORKS BUILDING, AND SOUTH OF
THE STEWART CREEK WASTE WATER PLANT. ELEV. = 565.92

DEVELOPER
HKS GLOBAL, INC.
KC KIANI 214-869-8093
kasrakiani9@gmail.com

BY: **MORI'S ENGINEERING, INC.**
2616 PICKWICK LANE PLANO, TEXAS 75093
CONTACT: MORI AKHAVAN 972-816-2626
moriakhavan@yahoo.com

**ZONING VARIANCE
EXHIBIT**
OVERLAKE ADDITION
3.3838 ACRES
CITY OF THE COLONY
DENTON COUNTY, TEXAS
CITY CASE NO. XXXXXX
LOTS 1-8, BLOCK 4
GARZA-LITTLE ELM LAKE ESTATES ADDITIC
ABSTRACTS 394, 1092, 611

APRIL, 2015